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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,765	03/10/2004	Petteri Poyhonen	042933/271450	3955

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ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

EXAMINER
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GONZALEZ, AMANCIO

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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12/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/797,765	<b>Applicant(s)</b> POYHONEN, PETTERI	
	<b>Examiner</b> AMANCIO GONZALEZ	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/16/2008</u>  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed on 08/04/2008 have been fully considered but they are not persuasive.

After due consideration and revision, the applicant's argued features can be summarized as follows: The applicant contends that the cited prior art, Stanforth and/or Dingman, does not disclose establishing communication with a terminal via an apparatus, and that for said connection to be effected, said terminal receives the connection trigger through an apparatus, hence the triggering to the terminal being network independent.

The applicant acknowledges, however, that Stanforth does disclose a gateway within an ad hoc network receiving a registration message from an ad hoc terminal to register the ad hoc terminal with the ad hoc network, or more particularly the gateway of the ad hoc network.

What the applicant fails to acknowledge is that it is well known in the art that in an ad-hoc group, terminals identify/register with each other in order to establish a connection or communication, said identification/registration between ad-hoc terminals including elements such as encryption keys or PAN identification.

Stanforth discloses establishing communication between a communication network and a terminal in an ad-hoc group or in an arrangement in which the terminal communicates in master/slave relationship with the apparatus that connects it to an external communication network. Hence, the ad-hoc communication between the

terminal and the apparatus that bridges the connection with the external network is network-independent with respect to said external communication network (see Stanfoth: fig. 4 and pars. 0040 and 0041).

Regarding the applicant's argument that Stanforth does not teach or suggest a processor being configured to send the gateway-to-terminal alerting message, it is well known in the art that communication terminals are computer-like devices, hence including one or several processors. Also, alerting messages to establish communication with a terminal is well known in the art. Thus, independent claims 10, 19, 37, 47, and their respective dependent claims, amended mainly to add the word "processor," are considered but left in their previous rejection form because said addition does not substantially change the scope of the claimed invention.

As a result, the argued features are written such that they read upon the cited reference.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 10-18 are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention.

Claim 10 recites the limitation " ... the system comprising" in line 1. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7-14, 16-23, 25-32, 34-41, 43-50, and 52-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Stanforth (US 20020058504 A1), hereafter “Stanforth.”

Consider claim 1. Stanforth discloses an apparatus (16) for establishing a communication session with a terminal (12) (see figs. 4-6 and 9, pars. 0023, 0038). Stanforth discloses a processor (see fig. 11) located in a network across which an originating client is configured to communicate, wherein the processor is configured to receive a connection request (Terminal-to-Gateway Setup, fig. 6), and in response thereto, send a network-independent trigger to the terminal (Gateway-to-Terminal Alerting, fig. 6), wherein in response to the trigger, the processor is also configured to receive a registration message from the terminal via the network to thereby register the terminal with the apparatus and acquire a network-dependent identity of the terminal to thereby enable establishment of a communication session with the terminal based upon the network-dependent identity of the terminal (see pars. 0042, 0049, 0050, figs. 6, 10C, and 11).

Claims 10, 19, 28, 37, and 46 address the same subject matter as claim 1, therefore same rejection applies.

Consider claims 2, 3, 7, 11, 12, 16, 20, 21, 25, 29, 30, 34, 38, 39, 43, 47, 48, and 52 as amended. Stanforth teaches claims 1, 10, 19, 28, 37, 39, 46 and further teaches processing call setup request and registration procedures (see pars. 0053, 0057, figs. 6 and 18).

Consider claims 4, 14, 23, 32, 41, and 50 as amended, Stanforth teaches claims 1, 10, 19, 28, 37, and 46 and further discloses SIP protocol (see pars. 0040 and 0044).

Consider claims 5, 13, 22, 31, 40, and 49 as amended. Stanforth teaches claims 1, 10, 20, 29, 38, and 47 and Stanforth further teaches buffering functions (see par. 0040 and fig. 4, where Stanforth discusses that inter-working between an ad-hoc radio terminal 12 with the switched cellular network uses H.323 protocol for Voice-over-IP (VoIP) telephony within the packet network, hence applying buffering functions).

Consider claims 8, 17, 26, 35, 44, and 53 as amended. Stanforth teaches claims 1, 10, 19, 28, 37, and 46 and further teaches wherein the processor is located in a network across which an originating client is capable of at least one of directly and indirectly communicating (see pars. 0021, 0026, 0038, figs. 4 and 9).

Consider claims 9, 18, 36, 45, and 54. Stanforth teaches claims 8, 17, and 44 above and further teaches a public network (see the title, abstract, pars. 0013 and 0014).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 2617

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 6, 15, 24, 33, 42 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanforth (US 20020058504 A1), hereafter "Stanforth," in view of Dingman et al. (US PGPub 20040024879), hereafter "Dingman."

Consider claims 6, 15, 24, 33, 42 and 51 as amended, Stanforth teaches claims 1, 19, 28, 37, and 46 above, but does not particularly refer to a network address translator (NAT) or firewall (FW).

Dingman teaches a network address translator (NAT) and firewall (FW) (see Dingman: pars. 0011, 0016).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Stanforth and have it include a network address translator (NAT) and firewall (FW), as taught Dingman, thereby enabling safe communication between a system within a protected network and an external system.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final

Art Unit: 2617

action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amancio González, whose telephone number is (571)



Art Unit: 2617

270-1106. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Charles Appiah, can be reached at (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

AG/ag

December 15, 2008

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617